

APPEALS AND STATE HEARINGS GLOSSARY

ADEQUATE NOTICE

A written notice informing the claimant of the action the County intends to take, the effective date of the action, the reasons for the intended action, the specific regulations supporting such action, and an explanation of the claimant's rights to request a State hearing. An adequate notice must also be timely.

ADOPTED DECISION

A hearing decision that officially resolved the State hearing case.

ADVERSE ACTION

Any unfavorable action against the claimant which terminates or reduces aid.

AID PAID PENDING

Aid issued, pending the hearing, to which the claimant may or may not be eligible provided the request for a State hearing has been filed timely, or without proper notice.

ADMINISTRATIVE LAW JUDGE

A judge appointed by the California Department of Social Services Director and/or Chief Administrative Law Judge (ALJ) to conduct State hearings.

ALTERNATE DECISION

A decision issued by the CDSS' Director which differs from the Administrative Law Judge's proposed decision.

AUTHORIZED REPRESENTATIVE

An individual or organization that has been authorized by the claimant or designated by the ALJ to act for the claimant in any and all aspects of the State hearing process.

CLAIMANT

The person who has requested a State hearing.

CONDITIONAL WITHDRAWAL

An agreement signed by the claimant and the county representative which provides that the actions of both parties will be completed within thirty (30) days.

COUNTY ACTION

All actions which require adequate notice and any other action/inaction relating to the claimant's application or receipt of aid.

COUNTY REPRESENTATIVE

The Appeals Hearing Specialist assigned to prepare/present the case.

DENIED DECISION

The claimant's appeal is denied and the County does not have to reverse its action.

DISMISSAL DECISION

The issue appealed was outside the jurisdiction of the State hearing process, the time limit for requesting a hearing was not met or the claimant failed to appear.

FILING

A written or oral request for a State hearing.

FILING DATE

The date in which the claimant's filing was mailed (envelope postmark) or date of oral request.

GRANTED DECISION

The appeal issue is decided in favor of the claimant and the County must take action to comply with the Judge's order.

**GRANTED IN PART
DENIED IN PART**

Part of the claimant's appeal issue is decided in his or her favor and and part is denied. This means that the County may have to follow up and take action on the granted portion of the issues.

JUDICIAL REVIEW

A petition filed in Superior Court by the claimant or the County requesting a review of a decision or rehearing decision. The petition must be filed within one year of receipt of a decision or rehearing decision.

REHEARING

The hearing decision is being contested by either the County or the claimant and the appeal is being reheard.

REMANDED DECISION

The Administrative Law Judge instructs the County to take a specific action relating to the claimant's issue but has not rendered a decision on the merits of the case.

REOPENING

The County has not complied with the conditional withdrawal agreement and the claimant requests that the issue be re-visited.

STATE HEARING

A form of administrative hearing mandated by federal and state law whereby a dissatisfied claimant may obtain an impartial review of a county action.

STATEMENT OF POSITION

A deposition prepared by the county representative outlining the county's action and the pertinent facts and regulations supporting the action.

STIPULATED DECISION

A decision that includes an agreement by the County and the claimant, made at the hearing, whereby the County grants some or all of the claimant's allegations.

STRAIGHT WITHDRAWAL

Annulment of the hearing request anytime before a decision is issued.

TIMELY NOTICE

A written notice of action which gives the claimant ten (10) days notice prior to the effective date of the proposed action.